

**MINUTES OF THE PUBLIC MEETING OF THE UTAH COUNTY COMMISSION DECEMBER 21, 2015 IN THE COMMISSION CHAMBERS OF THE COUNTY BUILDING AT 147 EAST MAIN, VERNAL, UTAH. MEETING COMMENCED AT 11:00 AM.**

**PARTICIPANTS:** COMMISSIONERS MARK RAYMOND, BILL STRINGER, AND MICHAEL MCKEE, CHAIR.

**ATTENDANCE:** SAM PASSEY, LIBERTY BEST, JC BREWER, ROBERT BARNHILL, MATT CAZIER, ZEKE ATWOOD, MICHAEL WILKINS, AARON AVERETT, ANNIE SMITH, BRENDA MCDONALD, WENDI LONG, ADAM MASSEY, BARBARA SIMPER, LESHA COLTHARP, JOEL BROWN, TODD SMITH, LOREN ANDERSON, AND JON STEARMER.

MINUTES RECORDED BY TAI BRUCKNER

PRAYER GIVEN BY MICHAEL WILKINS

PLEDGE OF ALLEGIANCE LED BY ZEKE ATWOOD

**APPROVAL OF REGULAR COMMISSION MINUTES DECEMBER 14, 2015**

**WARRANTS** DATED DECEMBER 17, 2015 IN THE AMOUNT OF \$428,297.66 WERE APPROVED AS PRESENTED.

**TAX MATTERS:** BARBARA SIMPER

THE ASSESSOR REQUESTED THE APPROVAL OF ESCAPED TAXES IN THE AMOUNT OF \$4,671.10 FOR SERIAL NUMBER 06:046:0031. THERE WAS AN OUTBUILDING THAT DID NOT HAVE A BUILDING PERMIT; IT WAS PICKED UP DURING THE REAPPRAISAL CYCLE.

COMMISSIONER RAYMOND MOVED TO APPROVE THE ESCAPED TAXES AS PRESENTED. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

**TAX MATTERS:** MICHAEL WILKINS

THE CLERK AUDITOR REQUESTED ABATEMENT FOR A DISABLED VETERAN IN THE AMOUNT OF \$994.20 FOR SERIAL NUMBER 06:029:0026.

HE ALSO REQUESTED ABATEMENT FOR SERIAL NUMBER 14:044:0024 IN THE AMOUNT OF \$430.55 FOR THE OLENE WALKER HOUSING LOAN FUND. THIS WAS A REPOSSESSED HOME. THIS IS DONE ANNUALLY AS THEY COULD SELL IT AND THEN IT WOULD NOT BE TAX EXEMPT.

COMMISSIONER STRINGER MOVED TO APPROVE THE ABATEMENTS AS PRESENTED. COMMISSIONER RAYMOND SECONDED. MOTION PASSED UNANIMOUSLY.

**BUSINESS LICENSES:** ROBERT BARNHILL

VALLEY VIEW MOBILE HOME PARK IS EXISTING ON 75 EAST 4000 SOUTH. THE PRIOR OWNER HAS PASSED AWAY AND THE CHILDREN SET IT UP IN A LLC. IT IS A NONCONFORMING USE FOR THE ZONE AND HAS BEEN NOTED. APPROVAL IS RECOMMENDED.

COMMISSIONER RAYMOND MOVED TO APPROVE THE BUSINESS LICENSE AS PRESENTED. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

**CEMETERY CERTIFICATES:** MICHAEL WILKINS

WAYNE BYERS AND SHELLEY BYERS PURCHASED LOT 73 SPACE 4 IN THE MAESER FAIRVIEW CEMETERY FOR THE SUM OF \$300.

BETTY JEAN YOUNG PURCHASED BLOCK 110 LOT B SPACES 7 & 8 IN THE LAPOINT CEMETERY FOR THE SUM OF \$500.

COMMISSIONER STRINGER MOVED TO APPROVE THE CEMETERY CERTIFICATES AS PRESENTED. COMMISSIONER RAYMOND SECONDED. MOTION PASSED UNANIMOUSLY.

**BID AWARD: MECHANIZED WINDOW SHADES FOR LIBRARY**

AFTER REVIEW IT IS RECOMMENDED TO AWARD THE BID TO JONES PAINT AND GLASS AS THE LOW BID AT \$24,700.

COMMISSIONER RAYMOND MOVED TO AWARD THE BID TO JONES PAINT AND GLASS AND AUTHORIZE SIGNATURES. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

**COMMUNITY DEVELOPMENT**

**1. GENERAL PLAN AMENDMENT:** ADDING THE SAGE GROUSE MANAGEMENT PLAN TO THE COUNTY GENERAL PLAN

THE SAGE GROUSE PLAN WAS ADOPTED BY POLICY A COUPLE OF YEARS AGO. IT SHOULD BE ADDED AS PART OF THE GENERAL PLAN. THIS ITEM WENT BEFORE PLANNING COMMISSION AND THEY DID NOT HEAR ANY PUBLIC COMMENTS. PLANNING COMMISSION RECOMMENDED APPROVAL. THE GENERAL PLAN WILL BE AMENDED TO INCLUDE THE STATE SAGE GROUSE PLAN AND ITS PARTS THAT APPLY TO UTAH COUNTY.

COMMISSIONER STRINGER MOVED TO ADOPT THE RECOMMENDATION TO INCLUDE THE SAGE GROUSE PLAN IN THE GENERAL PLAN. COMMISSIONER RAYMOND SECONDED.

JC BREWER ASKED HOW THE STATE PLAN DIFFERED FROM THE FEDERAL PLAN. COMMISSIONER MCKEE NOTED A COPY COULD BE PROVIDED IF HE WANTED ONE. THE HOPE WAS TO HAVE THE BLM ADOPT THE STATE PLAN JUST AS THEY DID, FOR THE MOST PART, IN MANY OTHER STATES BUT THE BLM DID NOT. THERE ARE MANY MAPS INVOLVED.

COMMISSIONER MCKEE CALLED FOR A VOTE. MOTION PASSED UNANIMOUSLY.

**2. ACCEPTANCE OF ROADS:** CHAEL, INC REQUESTING ACCEPTANCE OF COMPLETED ROADS IN THE HIDDEN COVE SUBDIVISION AT 4075 WEST 1500 NORTH.

THESE ARE THE ROADS IN PLAT A AND THE NORTH TO SOUTH ROAD IN PLAT B. THE ROADS RUNNING EAST AND WEST ARE NOT COMPLETE. THE ROAD DEPARTMENT HAS INSPECTED THE ROADS AND THERE ARE A FEW ISSUES. THEY DO NOT HAVE STREET SIGNS IN YET AND BRYAN MEIER, ROAD DEPARTMENT, INDICATED THEY SHOULD WAIT UNTIL SPRING. THERE WAS A REPAIR DONE AT THE ENTRANCE AND BRYAN EXPRESSED HIS CONCERNS WITH THE WORK. THERE IS ALSO SOME WORK STILL TO BE DONE WITH THE SIDEWALKS. 10% WILL BE HELD FOR THE WARRANTY OVER TWO WINTER SEASONS PLUS SOME FOR THE THREE ITEMS THAT ARE NOT YET SIGNED OFF ON. COMMISSIONER MCKEE EXPRESSED HIS CONCERN THE 10% IS NOT ENOUGH IF THERE IS A MAJOR FAIL. MATT CAZIER NOTED IT IS HOPED THERE AREN'T MAJOR REPAIRS NEEDED BUT IT IS CUSTOMARY TO HOLD THE 10% FOR TWO WINTER SEASONS.

COMMISSIONER RAYMOND MOVED TO ACCEPT THE ROADS AS PRESENTED RETAINING 10% FOR TWO WINTER SEASONS AND ENOUGH TO COVER THE OTHER ISSUES: ENTRANCE, SIGNAGE, AND SIDEWALKS. COMMISSIONER STRINGER SECONDED.

TODD SMITH, DEVELOPER, ADDRESSED THE MEETING. THE ROAD BASE FAILED DUE TO EXCESS MOISTURE AT THE ENTRANCE AND WAS REPAIRED. BRYAN MEIER DISCUSSED THE REPAIR WITH THE EXCAVATOR IN THE SPRING AND THE SAME WORKER ISN'T HERE. BRYAN IS CONFIDENT IT WILL FAIL BUT THE SUBCONTRACTOR, ALLRED PAVING, FEELS IT IS SUFFICIENT. HE WOULD LIKE MORE EXPLANATION FOR HOLDING MORE THAN THE 10%. COMMISSIONER RAYMOND NOTED THE 10% COVERS THE ENTIRE ROADWAY NOT THE EXTRA ISSUES. IT WILL NOT BE A LARGE SUM. THEY WILL BE REASONABLE. TODD ALSO NOTED HE UNDERSTOOD THE SIGNS WOULD BE PART OF PHASE 3. MATT CAZIER UNDERSTOOD THE SIGNS WOULD BE DONE IN THE SPRING. THEY WILL GET THIS CLARIFIED. COMMISSIONER RAYMOND ALSO NOTED THOUGH HE IS NO EXPERT, THE ROADS LOOK GOOD TO HIM.

JEREMY RAYMOND QUESTIONED THE DEAD-END AT THE SOUTH. THERE IS A TEMPORARY TURNAROUND. THE DEVELOPMENT LAYOUT WAS APPROVED IN THE EARLY 80'S. THE DEVELOPER DOESN'T OWN ADDITIONAL LAND AROUND THE TURNAROUND. COMMISSIONER RAYMOND INDICATED THEY WILL ALL WORK TOGETHER TO ENSURE THERE IS A PERMANENT SOLUTION. TODD SMITH INDICATED THE SURFACE IS ROAD BASE. HE WAS INFORMED A TURNAROUND WOULD BE SUFFICIENT INSTEAD OF A CUL-DE-SAC. JEREMY RAYMOND NOTED IT NEEDS TO HAVE A SIGN INDICATING IT IS A FIRE DEPARTMENT TURNAROUND. IT SHOULD NOT BE USED FOR PARKING. THEY DON'T FORESEE THIS ROAD CONTINUING THROUGH THE OTHER PROPERTY SO THIS WILL BE THE TURNAROUND LOCATION.

COMMISSIONER MCKEE CALLED FOR A VOTE. MOTION PASSED UNANIMOUSLY.

**CONSIDERATION OF SETTLEMENT AGREEMENT WITH QEP AND UBFS CONCERNING TAX MATTERS**  
LOREN ANDERSON ADDRESSED THIS ITEM. THIS IS A SETTLEMENT WITH QEP AND UTAH BASIN FIELD SERVICES IN REGARDS TO TAX APPEALS. THEY HAVE AGREED TO WITHDRAW THE APPEALS AND THE APPEAL WITH THE DISTRICT COURT. THE DETAILS ARE CONFIDENTIAL. THE SETTLEMENT ONLY APPLIES TO THIS PARTICULAR CASE AND DOESN'T BIND ANY PAST OR FUTURE TAX MATTERS. WHAT THEY HAVE PAID IS WHAT THE COUNTY WILL RECEIVE. THERE IS NO COST TO THE COUNTY. THIS IS IN THE COUNTY'S BEST INTEREST. COMMISSIONER RAYMOND NOTED THE FACT THEY ARE WILLING TO WITHDRAW THEIR APPEAL IS INTERESTING AND WE APPRECIATE IT. LOREN ALSO ADDED LITIGATION IS ALWAYS A RISK.

COMMISSIONER STRINGER MOVED TO APPROVE THE SETTLEMENT AGREEMENT WITH QEP AND UBFS AS PRESENTED AND AUTHORIZE SIGNATURES. COMMISSIONER RAYMOND SECONDED. MOTION PASSED UNANIMOUSLY.

**CONTRACT WITH CHADWICK BOOTH AND COMPANY**

LAST WEEK THEY SIGNED THE CONTRACT FOR THE COUNTY SEAT AND THIS IS SIMILAR. LESHA COLTHARP ADDRESSED THE ITEM. THIS CONTRACT IS WITH THE STATE PARKS AND AT YOUR LEISURE. STATE PARKS PAYS 75% OF THE PRODUCTION AND THE COUNTY PAYS 25%. THIS YEAR THEY WILL BE PROMOTING THE OUTLAW TRAIL ATV TRAIL. STATE PARKS WILL PAY \$4000 AND THE COUNTY WILL PAY \$1300. THE COUNTY WILL BILL STATE PARKS AND THEN ISSUE A CHECK TO CHADWICK BOOTH AND COMPANY FOR THE TOTAL.

COMMISSIONER RAYMOND MOVED TO APPROVE THE CONTRACT AS PRESENTED AND AUTHORIZE SIGNATURES. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

**BOARD APPOINTMENTS: NONE**

**PUBLIC INPUT:**

AARON AVERETT ADDRESSED THE MEETING IN REGARDS TO TRAILS. A GROUP OF INDIVIDUALS, MANY FROM THE FORMER TRAIL COMMITTEE, HAVE BEEN MEETING MONTHLY TO PROGRESS TRAILS IN UTAH COUNTY. THEY ARE WORKING WITH VERNAL CITY AND USING THE TRAILS CONCEPT PLAN FROM THE PARKS TO SET THINGS INTO MOTION. MAYOR NORTON HAS EXPRESSED INTEREST IN TRAILS FROM DOWNTOWN TO OUTLYING AREAS. VERNAL CITY IS GOING TO APPLY FOR FUNDING TO BUILD A MASTER PLAN FOR ASHLEY VALLEY TRAILS. THIS WILL FOCUS ON AND BUILD UPON THE CONCEPT PLAN. THIS WILL BE TURNED IN JANUARY 8<sup>TH</sup>. THEY WOULD LIKE TO INCLUDE VERNAL CITY, NAPLES CITY, THE SCHOOL DISTRICT, THE HEALTH DISTRICT AND THE TRANSPORTATION SPECIAL SERVICE DISTRICT TO ORGANIZE IDEAS. COMMISSIONER MCKEE INDICATED THERE HAVE BEEN SEVERAL EFFORTS RELATING TO TRAILS. PUBLIC LANDS ADDRESSES A BROAD TRAIL SYSTEM THROUGHOUT THE COUNTY, MOTORIZED AND NON MOTORIZED. HE ASKED THEM TO ENSURE THEY ARE COORDINATING AND MAKING COMBINED EFFORTS TO BENEFIT EACH ENTITY AND THE CITIZENS. COMMISSIONER STRINGER ADDED THE BLM, FOREST SERVICE, AND PUBLIC LANDS ARE ALL ON BOARD AND INTERESTED BUT THEY MOVE SLOWLY. THIS IS A GREAT OPPORTUNITY TO WORK WITHIN PRIVATE LANDS TO GAIN MOMENTUM. COMMISSIONER MCKEE ALSO NOTED THERE

SHOULD BE FUNDING AVAILABLE FOR OUR COUNTY AS VERY LITTLE GETS DONE HERE. THIS IS A WORK IN PROGRESS BUT HAS POTENTIAL. THEY CAN START IN THE CITY AND EXPAND FROM THERE.

JC BREWER INDICATED HE TRAVELS QUITE A BIT IN PARTS OF THE COUNTY, MOTORIZED AND NOT. HE HAS SEEN A NETWORK OF TRAILS CAUSE CONFLICT WITH ROAD DEVELOPMENT. HE WOULD LIKE TO SEE THERE AREN'T ANYMORE CONFLICTS BETWEEN TRAILS AND ROADS. COMMISSIONER MCKEE NOTED THAT IS WHY THEY MUST WORK TOGETHER. CONFLICTS WILL BE MINIMAL. COMMISSIONER STRINGER ALSO NOTED TRAVEL MANAGEMENT PLANS FROM OTHER GOVERNMENTAL ENTITIES WILL ALSO HAVE TO BE A PART OF TRAIL DEVELOPMENT. AARON AGREED. IF THEY START IN TOWN, THERE IS LESS POSSIBILITY FOR SUCH CONFLICTS. THEY DO NOT WANT TO CREATE CONFLICTS. WORKING WITH THE TRANSPORTATION DISTRICT WILL ALLOW THEM SOME OPPORTUNITY TO WIDEN SHOULDERS TO MAKE BIKE PATHS. COMMISSIONER STRINGER ADDED THERE ARE MANY SUCCESSFUL TRAILS OVER VAIL PASS, ALONG THE COLORADO RIVER, GLENWOOD, ETC. SOME JUST WANT TO RIDE WITHOUT GETTING RAN OVER.

ADAM MASSEY, UTAH TRANSPORTATION SPECIAL SERVICE DISTRICT, INDICATED THEY PROVIDE \$238,000 TO THE BTA EACH YEAR. THE BOARD HAD DISCUSSED USING THIS MONEY FOR A MASTER TRAILS PLAN IF PROPOSITION 1 PASSED. IT IS ESSENTIAL FOR ALL ENTITIES TO WORK TOGETHER.

JC BREWER WANTED TO ENSURE EVERYONE UNDERSTOOD HE ISN'T AGAINST TRAILS OR TRANSPORTATION BUT HE DOESN'T WANT TO SEE A TRAIL DESIGNATED FOR THE USE OF ONE GROUP TO INTERFERE WITH THE DEVELOPMENT OF TRANSPORTATION. COMMISSIONER MCKEE INDICATED THE COUNTY IS UPDATING THE GENERAL PLAN AND TRANSPORTATION IS A KEY ELEMENT. THIS WILL BE AN OPEN AND PUBLIC PROCESS. JON STEARMER NOTED IT HAS TO BE PUBLIC PER STATE STATUTE. THE FIRST MEETING WILL BE SCHEDULED JANUARY 20<sup>TH</sup> FROM 5 TO 7 PM AT THE VERNAL CITY COMMUNITY ROOM.

ED ZURBUCHEN ASKED ABOUT THE SUSPENSION ON DRILLING AND HOW IT APPLIES TO THE \$2 VALUE PER LAND PER YEAR. COMMISSIONER STRINGER NOTED THERE ARE THREE DIFFERENT KINDS OF SUSPENSIONS SO IT DEPENDS. MOST CASES ARE BECAUSE THEY ARE DENIED ACCESS TO DEVELOP, LAWSUITS, OR INTERFERENCE WITH THE BLM MOVING TOO SLOW. THE LEASE CONTINUES TO RUN DEPENDING ON THE LEASE. SUSPENSION MAY SUSPEND THE TERM OF THE LEASE BUT THE MINIMUM FEE IS BEING PAID. THE REAL ISSUE IS THE BONUS BID WHICH IS PAID REGARDLESS. THE ROYALTY IS WHERE THE REAL MONEY IS.

**CONSIDERATION OF AGREEMENT WITH THE UTE INDIAN TRIBE TO ADDRESS GOVERNMENT TO GOVERNMENT RELATIONS**  
NO FURTHER PROGRESS YET.

**CLOSED SESSION FOR THE PURPOSE OF DISCUSSING PENDING OR IMMINENT LITIGATION**  
AT NOON, COMMISSIONER RAYMOND MOVED TO GO INTO CLOSED SESSION TO DISCUSS PENDING OR IMMINENT LITIGATION AND RECONVENE COMMISSION MEETING WHEN DISCUSSION IS COMPLETE. COMMISSIONER STRINGER SECONDED. MOTION PASSED UNANIMOUSLY.

**ADJOURN:** MEETING ADJOURNED AT 12:30 P.M.

  
MICHAEL MCKEE, CHAIR

  
MICHAEL W. WILKINS, CLERK-AUDITOR

